

## DRAFT RULEMAKING SHADING LEGEND

- \* Shaded text - Rule sections or subsections not suggested for revision. This text is only for reference.
  - \* Unshaded Text - Rule sections or subsections that are suggested for revision.
  - \* Boldface Text – Suggested language additions.
  - \* Strikeout Text – Suggested language deletions.
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### 10 CSR 10-6.080 Emission Standards for Hazardous Air Pollutants

- (1) Applicability.
- (A) The provisions of 40 CFR part 61 promulgated June 30, ~~2003~~**2004** and thereby incorporated by reference in this rule, as published by the Office of the Federal Register, U.S. National Archives and Records, 700 Pennsylvania Avenue NW, Washington, D.C. 20408. This rule does not incorporate any subsequent amendments or additions.
- (B) Exceptions to the adoption are as follows:
1. Sections 60.4, 60.16 and 60.17 of subpart A;
  2. Subparts B, H, I, K, Q, R, T~~[-]~~ and W in their entirety; and
  3. Those provisions which are not delegable by United States Environmental Protection Agency (EPA). Examples of these include alternative or equivalent methods (for example, sections 61.12(d)(1), 61.13(h)(1)(ii), 61.112(c), 61.164(a)(2), 61.164(a)(3), and 61.244).
- (C) **In addition to complying with the provisions of this rule, affected sources may be required to obtain an operating permit pursuant to Title V of the Clean Air Act Amendments or 10 CSR 10-6.065.**
- ~~[(C)]~~(D) Where emission limitations, test procedure or other requirements found in both subsection (1)(A) of this rule and in another rule under Title 10 Division 10 of the *Code of State Regulations* are applicable to an emission source, the more restrictive rule requirement shall be applied.
- (2) Definitions. Certain terms used in 40 CFR part 61 refer to federal officers, agencies and publications. The following terms applicable to Missouri shall be substituted where appropriate for the delegable federal counterparts:
- (A) Director shall be substituted for Administrator;
- (B) Missouri Department of Natural Resources shall be substituted for EPA, EPA Regional Office or Environmental Protection Agency; and
- (C) *Missouri Register* shall be substituted for *Federal Register*.

- (3) The following are the National Emission Standards for Hazardous Air Pollutants (NESHAPs) 40 CFR part 61 subparts that are adopted by reference in subsection (1)(A) of this rule. Individual sources, operations or installations in these categories are subject to this rule based on date of commencement of construction and other category specific parameters, as specified in the applicable subpart:

Subpart	Title
(C)	National Emission Standard for Beryllium
(D)	National Emission Standard for Beryllium Rocket Motor Firing
(E)	National Emission Standard for Mercury
(F)	National Emission Standard for Vinyl Chloride
(J)	National Emission Standard for Equipment Leaks (Fugitive Emission Sources) of Benzene
(L)	National Emission Standard for Benzene Emissions from Coke By-Product Recovery Plants
(M)	National Emission Standard for Asbestos
(N)	National Emission Standard for Inorganic Arsenic Emissions From Glass Manufacturing Plants
(O)	National Emission Standard for Inorganic Arsenic Emissions From Primary Copper Smelters
(P)	National Emission Standard for Inorganic Arsenic Emissions From Arsenic Trioxide and Metallic Arsenic Production Facilities
(V)	National Emission Standard for Equipment Leaks (Fugitive Emission Sources)
(Y)	National Emission Standards for Benzene Emissions From Benzene Storage Vessels
(BB)	National Emission Standards for Benzene Emissions From Benzene Transfer Operations
(FF)	National Emission Standard for Benzene Waste Operations

- (4) Reporting. Reporting requirements are specified in each federal regulation adopted by reference.
- (5) Test Methods. Test methods are specified in each federal regulation adopted by reference.